

ESTATE OF W. C. YARBROUGH

MARCH 19, 1958.—Committed to the Committee of the Whole House and ordered
to be printed

Mr. DONOHUE, from the Committee on the Judiciary, submitted the
following

REPORT

[To accompany H. R. 6932]

The Committee on the Judiciary, to whom was referred the bill (H. R. 6932), for the relief of the estate of W. C. Yarbrough, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of the proposed legislation is to pay the estate of W. C. Yarbrough, deceased, the sum of \$658.92 in full settlement of its claims against the United States for the payment of the total amount of 67 post office money orders which were purchased by the decedent at Altamahaw, Greensboro, Burlington, and Glen Raven, N. C., and Newport News, Va., between December 23, 1931 and October 11, 1935 inclusive, and were not presented for payment prior to the enactment of the act of June 8, 1955 which prohibits payment of post office money orders after 20 years from the last day of the month of original issue and bars claims therefor unless filed within the same period.

STATEMENT

W. C. Yarbrough of Yanceville, N. C., died April 29, 1956. Under his will his widow, Mrs. Ida S. Yarbrough, was appointed the executor of his estate. In going over his business and personal papers she found a small cardboard box which contained 67 unpaid post office money orders amounting to \$658.92. These orders were dated in the early 1930's. At that time one E. B. Matkins was a collector for the late W. C. Yarbrough and the money orders referred to in the bill represented collections on washing machines which had been sold on the installment plan. Sixty-six of the money orders were made out to Mr. Yarbrough, and one to E. B. Matkins. These money orders were purchased as collections were made, and had been sent to Mr. Yarbrough. From the evidence presented to the committee it appears that Mr. Yarbrough allowed the money orders to accumulate during this time because he was convinced that his money would be more secure in that form than if deposited in the banks of that day.

When his widow found the money orders in 1956 she presented them for payment, and was informed that they could not be honored. In its report to this committee on the bill the Post Office Department states that if the Congress should see fit to grant the relief provided for in the bill it would not oppose enactment of the measure. That report states that the records of the Department covering the money orders purchased by Mr. Yarbrough have not been destroyed, and in checking those records those money orders remain unpaid.

In view of the unusual circumstances of this case, and the statements of the Post Office Department, this committee has concluded that this matter merits legislative relief. Accordingly this committee recommends that the bill be favorably considered.

The following is a list of postal money orders which was furnished the committee and sets forth the postal money orders with which H. R. 6932 is concerned:

No.	Post office	Date of purchase	Amount
11049	Glen Raven, N. C.	Oct. 11, 1935	\$4.10
10819	do.	Feb. 4, 1935	15.14
10793	do.	Jan. 22, 1935	14.29
10727	do.	Dec. 21, 1934	2.46
10632	do.	Nov. 21, 1934	4.14
10585	do.	Nov. 3, 1934	3.22
10509	do.	Oct. 5, 1934	4.13
10496	do.	Sept. 28, 1934	4.14
55206	Altamahaw, N. C.	Sept. 15, 1934	2.44
10427	Glen Raven, N. C.	Aug. 29, 1934	4.14
10414	do.	Aug. 21, 1934	1.61
55026	do.	Aug. 6, 1934	8.36
54909	Altamahaw, N. C.	July 14, 1934	.75
10314	Glen Raven, N. C.	July 9, 1934	2.87
10291	do.	June 30, 1934	10.04
10284	do.	June 29, 1934	4.14
54626	Altamahaw, N. C.	May 21, 1934	3.29
54613	do.	May 24, 1934	4.14
10100	Glen Raven, N. C.	May 2, 1934	4.14
10051	do.	Apr. 17, 1934	2.86
9876	do.	Feb. 26, 1934	3.29
9851	do.	Feb. 19, 1934	7.08
9814	do.	Feb. 7, 1934	15.14
9815	do.	do.	40.00
9699	do.	Dec. 23, 1933	2.64
9686	do.	Dec. 19, 1933	82.24
9625	do.	Dec. 1, 1933	33.82
9593	do.	Nov. 20, 1933	8.35
9556	do.	Nov. 8, 1933	4.14
9532	do.	Oct. 30, 1933	7.08
9472	do.	Oct. 9, 1933	16.84
9438	do.	Sept. 25, 1933	13.34
52957	Altamahaw, N. C.	Sept. 1, 1933	10.04
9349	Glen Raven, N. C.	Aug. 14, 1933	8.51
52883	Altamahaw, N. C.	Aug. 9, 1933	16.84
9297	Glen Raven, N. C.	July 27, 1933	5.81
52804	Altamahaw, N. C.	July 15, 1933	6.23
52705	do.	June 16, 1933	4.14
52663	do.	June 5, 1933	27.02
52661	do.	June 2, 1933	8.79
52621	do.	May 23, 1933	6.24
52594	do.	May 16, 1933	5.81
52572	do.	May 11, 1933	11.31
52563	do.	May 9, 1933	2.46
52516	do.	Apr. 25, 1933	7.51
52487	do.	Apr. 17, 1933	2.03
52471	do.	Apr. 11, 1933	11.46
10008	Glen Raven, N. C.	Apr. 5, 1933	6.66
52453	Altamahaw, N. C.	Apr. 4, 1933	11.89
9988	Glen Raven, N. C.	Mar. 31, 1934	33.82
52406	Altamahaw, N. C.	Mar. 22, 1933	10.04
9947	Glen Raven, N. C.	Mar. 19, 1934	4.14
52356	Altamahaw, N. C.	Mar. 13, 1933	9.21
52311	do.	Mar. 1, 1933	6.00
52243	do.	Feb. 13, 1933	11.95
52218	do.	Feb. 7, 1933	13.86
52082	do.	Jan. 5, 1933	12.59
51561	do.	July 5, 1932	11.65
51503	do.	June 16, 1932	14.74
67658	Greensboro, N. C. (Denim, Station)	May 25, 1932	5.00
298827	Burlington, N. C.	May 26, 1932	5.23
137634	Newport News, Va. (Station 1)	Feb. 29, 1932	8.00
50969	Altamahaw, N. C.	Jan. 26, 1932	4.47
50968	do.	do.	8.40
50919	do.	Jan. 18, 1932	5.00
50855	do.	Dec. 30, 1931	4.46
50839	do.	Dec. 23, 1931	4.25

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., October 21, 1957.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives.*

DEAR MR. CHAIRMAN: Reference is made to your request for a report on H. R. 6932, a bill for the relief of the estate of W. C. Yarbrough.

The measure would appropriate the sum of \$658.92 to be paid by the Secretary of the Treasury to the estate of W. C. Yarbrough, late of Yanceyville, N. C., as reimbursement and settlement of claims against the United States for payment of the total amount of 67 post office money orders which the decedent purchased at Altamahaw, Greensboro, Burlington, and Glen Raven, N. C., and Newport News, Va., between December 23, 1931, and October 11, 1935. The money orders were not presented for payment prior to the effective date of section 2 of the act of June 8, 1955 (69 Stat. 87; 39 U. S. C. 728a), which bars payment of money orders after 20 years from the last day of the month of original issue.

The effect of H. R. 6932 would be to waive this statute of limitations.

Ordinarily this Department would oppose the waiver of the statute of limitations, since it defeats the intent and purpose of Congress in enacting the act of June 8, 1955. However, the records of the Department covering the money orders purchased by Mr. Yarbrough have not yet been destroyed. Consequently, it has been possible for the Department to check its records against the list of money orders furnished by Congressman Scott, the sponsor of H. R. 6932. All of the money orders listed remain unpaid, according to our records.

If, in view of these circumstances and the basic intent of Congress in the enactment of the act of June 8, 1955, the Congress should determine that the statute of limitations should be waived in this case, this Department will not oppose enactment of the measure.

The Bureau of the Budget has advised that there would be no objection to the submission of this report to the committee.

Sincerely yours,

E. O. SESSIONS,
Deputy Postmaster General.

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